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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/689,721 08/12/96 PERRY

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F1M1/0918

A OCT 21 1997
GROUPE RECEIVED

EXAMINER

LUEBKE, R.
ART UNIT 3105

PAPER NUMBER

3105

DATE MAILED:

09/18/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



AF/GP 3105

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10-22-97
91.P.S.

ANDREW M. PERRY
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October 13, 1997

Renee S. Luebke
Primary Patent Examiner
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Assistant Commissioner of Patents
Washington, DC 20231

RE: Application No. 08/689,721 / Andrew M. Perry Your Letter Dated 9/18/97

RECEIVED
97 OCT 21 AM 7:03
GROUP 3100

Dear Ms. Luebke:

This letter is to address the deficiencies noted on my amendment filed June 2, 1997.

- do not enter 10/23/97
- 2.a. In stead of "a few thousandths of an inch larger" it should be larger.
 - 2.b. In stead of "thin cloth material" it should be material.
 - 2.c. In stead of "simple over-hand knot" it should be knot.
 - 2.d. In stead of "extended to applications involving other musical instruments or objects" all after the comma preceding the quote should be deleted.

3, 4, 5, and 6. Claims 1, 2, and 3 are hereby canceled and Claim 4 is as follows:

A device for carrying a recorder, consisting of a circular ring, having an inner surface diameter that fits snugly on the neck of the recorder, and a strap, attached to the ring for hanging the device around the neck of a user.

7. The present application is distinguished from Wimmershoff-Caplan as follows:

- a. The Wimmershoff-Caplan device attaches the neck strap on two loops, one being on each side of the ring. This causes the neck strap to be held out from the chest a distance of one-half the diameter of the ring. Thus, when the recorder has to be lifted to the lips, as occurs several times while being used, the thumbs may catch behind the strap adversely effecting the play of the recorder and creating a safety hazard. In my device, the neck strap is attached a single point. Thus the recorder hangs against the chest, greatly, reducing the hazard of thumb entanglement.
- b. The Wimmershoff-Caplan device attaches the neck strap by means of two small loops on either side of the ring. Since, the recorder is used by children as young as three or four years of age these small loops present a safety hazard. My device has no such loops.
- c. The Wimmershoff-Caplan device is essentially a piece of jewelry with its precious metal, decorative connector portion, its attachment loops and its chain link neck strap. These features present a question of safety in the hands of children that may be as young as three or four years of age and the majority of which are under the age of ten. My device is safe for children of all ages.

8. There is no other individual involved in the invention of this device, and reference to our is unintentional.

Sincerely,

Andrew M. Perry

Andrew M. Perry